

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LESLIE MITCHELL,

Plaintiff,

v.

SARAH BEEGLE AND IRON MOUNTAIN RECORD  
STORAGE MANAGEMENT,

Defendants.

No. C 09-00303 CW

ORDER OF  
DISMISSAL

On January 30, 2009, Defendants filed a Motion to Dismiss or, in the Alternative, Motion for Summary Judgment. On February 23, 2009, a Clerk's Notice Taking Motion Under Submission was issued, wherein the hearing previously scheduled for March 5, 2009, was vacated, the motion was taken under submission on the papers, and Plaintiff was given additional time until March 5, 2009, to file a written opposition to the motion. Plaintiff was cautioned that failure to timely file a written opposition may result in dismissal of this action for failure to prosecute. The time to file an opposition to the motion has passed, and Plaintiff has not filed any opposition to the motion to dismiss. Accordingly,

IT IS HEREBY ORDERED that the above-captioned case is dismissed without prejudice for failure to prosecute.

3/31/09

Dated \_\_\_\_\_



\_\_\_\_\_  
CLAUDIA WILKEN  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

LESLIE MITCHELL,  
Plaintiff,

Case Number: CV09-00303 CW

**CERTIFICATE OF SERVICE**

v.

SARAH BEEGLE AND IRON MOUNTAIN  
RECORD STORAGE MANAGEMENT et al,  
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on March 31, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Leslie Mitchell  
500 Marin Avenue #10  
Hayward, CA 94541

Dated: March 31, 2009

Richard W. Wieking, Clerk  
By: Sheilah Cahill, Deputy Clerk

United States District Court  
For the Northern District of California